

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NATURAL RESOURCES DEFENSE
COUNCIL, INC.; CENTER FOR
SCIENCE IN THE PUBLIC INTEREST;
FOOD ANIMAL CONCERNS TRUST;
PUBLIC CITIZEN, INC.; and UNION OF
CONCERNED SCIENTISTS, INC.,

Plaintiffs,

v.

UNITED STATES FOOD AND DRUG
ADMINISTRATION; MARGARET
HAMBURG, in her official capacity as
Commissioner, United States Food and
Drug Administration; CENTER FOR
VETERINARY MEDICINE;
BERNADETTE DUNHAM, in her official
capacity as Director, Center for Veterinary
Medicine; UNITED STATES
DEPARTMENT OF HEALTH AND
HUMAN SERVICES; and KATHLEEN
SEBELIUS, in her official capacity as
Secretary, United States Department of
Health and Human Services,

Defendants.

11 CIV 3562 (RMB)
ECF Case

DECLARATION OF
DR. MICHAEL F. JACOBSON

I, Michael F. Jacobson, Ph.D., declare as follows:

- 1. I am a founder and the Executive Director of the Center for Science in the Public Interest (CSPI).
2. CSPI is a consumer advocacy organization whose twin missions are to conduct innovative research and advocacy programs in health and nutrition, and to provide consumers with current, useful information about their health and well-being.


3. One of CSPI's three main goals is to represent the citizen's interests before regulatory, judicial, and legislative bodies on food, alcohol, health, the environment, and other issues.

4. CSPI joined this lawsuit because the Food and Drug Administration has not taken steps to protect the public for more than a quarter century, since determining in 1977 that certain non-therapeutic uses of penicillin and tetracyclines in animal feed were not shown to be safe. In the time since that determination, a great deal more scientific research has established the risks of routine non-therapeutic use of antibiotics.

5. CSPI currently has approximately 433,590 members in the United States, including 33,777 New York residents.

I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge, information, and belief.

Executed on June 29, 2011, at Washington, DC.

A handwritten signature in black ink that reads "Michael F. Jacobson". The signature is written in a cursive style with a long, sweeping tail on the final letter.

---

Michael F. Jacobson, Ph.D.